

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2015-110819-001 SE

11/23/2015

JUDGE PRO TEM CYNTHIA L. GIALKETSIS

CLERK OF THE COURT

L. Popovic

Deputy

STATE OF ARIZONA

KELLY S NEAL

v.

ANDREA ROSE (001)

DOB: 11/25/1990

JOANNA MARIE PEARSON

APO-SENTENCINGS-SE

APPEALS-CCC

DISPOSITION CLERK-CSC

RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:53 a.m.

Courtroom SEF 201

State's Attorney: James Blair

Defendant's Attorney: Joanna Pearson

Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1: POSSESSION OR USE OF DANGEROUS DRUGS

Class 4 FELONY

A.R.S. § 13-3401, -3407, -3413, -3416, -3418, -105, -610, -701, -702, -801, -901.01 (B),
-901.01 (H) (4)

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Date of Offense: on or about 11/15/2014
Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Upon physical release from prison pursuant to A.R.S. §13-603(K) from Pima County Case CR 2015-289600. Count 1: For a period of 3 Years.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the State.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning to be determined.

FINE: Count 1 - Total amount of \$1,830.00, which includes surcharges of 83%, payable \$to be determined per month beginning to be determined.

Fine is to be paid to the Arizona Drug Enforcement Fund.

PROBATION ASSESSMENT: Count 1 - \$20.00 payable on to be determined.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on to be determined.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 1 - \$13.00 payable on to be determined.

Investigative Agency:
Chandler Police Department

Count 1: \$15.00 to the Technical Registration Fund payable on to be determined.

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All amounts payable through the Clerk of the Superior Court.

Condition 16: Not consume or possess any substances containing alcohol.

Condition 17: Count 1: Complete a total of 360 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

Condition 21: Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Drug Court

Condition 22: Other: The Defendant shall complete Substance Abuse Counseling.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 2 and 3 and the Maricopa County Attorney's Office agrees not to file an allegation of felony conviction(s) pursuant to ARS 13-703.

IT IS FURTHER ORDERED Defendant be released from custody for this case only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

9:59 a.m. Matter concludes.

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IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE PRO TEM CYNTHIA L. GIALKETSIS
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)